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ATTORNEY DOCKET NO.: KCX-450 (16960)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Steven James Wojcik, et al.	) Examiner: Scott J. Haugland
	)
Serial No.: 10/085,813	) Group Art Unit: 3654
	)
Filed: February 28, 2002	) Our Account No. 04-1403
	)
Confirmation No.: 2378	) Our Client ID: 22827
	)
For: Center/Surface Rewinder and Winder	)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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APR 12 2004  
**GROUP 3600**

COMMUNICATION UNDER 37 CFR § 1.8(b)

Sir:

The present Communication is in response to the Notice of Abandonment mailed March 22, 2004 indicating that the present application is abandoned for Applicants' failure to timing file a proper reply to the Office Action mailed August 5, 2003. The notice of Abandonment states that a reply was never received.

Applicants are filing the present Communication under the guide lines set forth in 37 CFR § 1.8(b) concerning the situation in which a timely filed correspondence is mailed, but is not received in the Patent and Trademark Office resulting in abandonment of the application.

Applicants are hereby promptly informing the Office of the submission of an Amendment in reply to the Office Action mailed August 5, 2003. A proper Amendment was timely submitted by the Applicants' on January 5, 2004. Please find enclosed an additional copy of the previously mailed Amendment, Certificate of Mailing, and related papers submitted on January 5, 2004.



I, Neal Pierotti have personal knowledge as to the timely mailing of the aforementioned Amendment, Certificate of First Class Mailing, and related papers. The Amendment was submitted on January 5, 2004 with payment for an extension of two months from the shortened statutory period for reply. The correspondence submitted on January 5, 2004 also included a postcard that listed the submitted items such as the Amendment (29 pages), a check in the amount of \$1012.00, a request for approval of drawing changes with replacement sheet, and a transmittal sheet with a certificate of first class mailing. This postcard was stamped by the Patent and Trademark Office indicating receipt on January 7, 2004 and subsequently returned to Applicants'. Applicants are providing a copy of the United States Patent Office stamped postcard submitted along with the rest of the aforementioned items on January 5, 2004 showing the stamped date of January 7, 2004 by the U.S. Patent and Trademark Office.

The Examiner is encouraged to contact the undersigned at his convenience should he have any questions or require any additional information concerning this matter or if the Examiner requires any additional evidence to determine if the above-mentioned correspondence was timely filed.

Respectfully submitted,

DORITY & MANNING,  
ATTORNEYS AT LAW, P.A.

*Neal P. Pierotti*

Neal P. Pierotti, Esquire  
Reg. No. 45,716

*March 30, 2004*

Date

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APR 12 2004

**GROUP 3600**

Post Office Box 1449  
Greenville, SC 29602-1449  
Telephone: (864) 271-1592  
Facsimile: (864) 233-7342

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, Virginia 22313-1450, on

**MARCH 30, 2004**

**Denise Bulkeley**

*Denise Bulkeley*



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,813	02/28/2002	Steven James Wojcik	KCX-450 (16960)	2378

7590 03/22/2004

Neal P. Pierotti  
Dority & Manning, Attorneys at Law, P.A.  
P.O. Box 1449  
Greenville, SC 29602

EXAMINER

HAUGLAND, SCOTT J

ART UNIT	PAPER NUMBER
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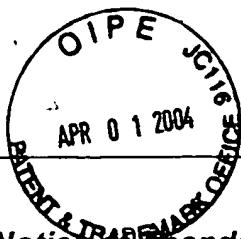
3654

DATE MAILED: 03/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**RECEIVED**  
MAR 24 2004

DORITY AND MANNING



# **Notice of Abandonment**

<b>Application No.</b> 10/085,813	<b>Applicant(s)</b> WOJCIK ET AL.	
	<b>Examiner</b> Scott Haugland	<b>Art Unit</b> 3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 05 August 2003.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

KATHY MATECKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

The official stamp of the United States Patent and Trademark Office hereon acknowledges receipt of the following:

The official stamp of the United States Patent and Trademark Office hereon acknowledges receipt of the following:  
Check \$1012.00; Amendment (29 pages); Request for Approval of Drawing  
Change with Replacement Sheet; Transmittal Sheet with Certificate of First Class  
Mailing (1 page, 1 copy); and return receipt postcard

RE: Wojcik et, al.  
Title: Center/Surface Rewinder and Winder  
USSN: 10/085,813  
Filed: February 28, 2002  
Our Ref.: KCX-450 (16960)

January 5, 2004

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